



NEWS RELEASE

APACHE COUNTY SUPERIOR COURT

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February 20, 2009

Juvenile Enters Admission

ST. JOHNS – At a February 19, 2009 hearing, the juvenile entered an admission to an Amended Count II of Negligent Homicide. Count I of the November 7, 2008 Delinquency Petition will be dismissed. The State may withdraw from the agreement prior to disposition if the juvenile is charged with any additional delinquent or incorrigible offenses.

The juvenile will be placed on Intensive Probation with the court retaining jurisdiction until the juvenile's eighteenth birthday. While under the court's jurisdiction, he shall have no contact with the victims, their immediate or extended families, unless requested by such persons and approved by the court. He shall not be permitted to enroll in any public, private or charter school until the court receives written notice from the evaluating psychiatrist that the juvenile does not pose a threat to himself or the public. In the interim, the Apache County Juvenile Probation Department has been asked to confer with the local school district to determine alternate education services.

Disposition will be set following evaluation of the juvenile by two board certified psychiatrists. The examiners will be asked to evaluate future dangerousness; make recommendations regarding any changes to the terms and conditions of probation and as to the type, duration and frequency of any mental health services. Additional mental health evaluations shall be completed when the juvenile is 12, 15 and 17.5 years of age.

The juvenile remains on furlough with the terms and conditions of the plea agreement added to those already in place. Following disposition, the juvenile may request transfer of his probation to another county or state. The court would consider the request at hearing after providing the State, defense and victims an opportunity to recommend changes to the terms and conditions of probation.

In accepting the juvenile's admission, Judge Michael P. Roca found that the pendency of a competency determination did not preclude the court from entertaining a plea. The case has been set for a March 5th Status Conference to identify the board certified mental health examiners. Disposition of the case is expected to take place within sixty days.

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